

**: OFFICIAL PROCEEDINGS :****: OF THE CITY OF PEORIA, ILLINOIS :**

A meeting of the Planning and Zoning Commission was held on Thursday, November 3, 2016, and began at 1:05p.m., at City Hall, 419 Fulton St., in Room 400.

**ROLL CALL**

The following Planning and Zoning Commissioners were present: Mark Misselhorn, Nick Viera, Richard Unes, Mike Wiesehan– 4. Commissioners absent: Michele Anderson, Wes Durand, and Eric Heard– 3.

City Staff Present: Leah Allison, Kimberly Smith, Shannon Techie, Madeline Wolf

**SWEARING IN OF SPEAKERS**

Speakers were sworn in by Staff Member Madeline Wolf.

**MINUTES**

Commissioner Misselhorn moved to approve the minutes of the amended Planning and Zoning Commission meeting held on October 6, 2016; seconded by Commissioner Viera.

Commissioner Misselhorn requested the following amendments to the October 6, 2016 minutes:

1. Amend comment on Page 2 of 5 to read, "Commissioner Misselhorn expressed concern the rooftop screening requirement (Condition #5) was not appropriate for the project due to the proposed building height and the building setback location."
2. Amend comment on Page 4 of 5 to read, "After questions from commissioners, Ms. Smith noted the exterior building materials required for the façade would not be included as a requirement since the addition was less than 25% of an expansion of the building site."

The motion was approved viva voce vote 4 to 0.

**REGULAR BUSINESS****CASE NO. PZ 16-34**

Hold a Public Hearing and forward a recommendation to City Council on the request of William Merritt to amend an existing Special Use Ordinance No 14,967 in a Class O-2 (Exclusive Office Park) District to add a 70 sq ft freestanding sign for the property identified as Parcel Identification Nos. 14-08-277-011 (N Knoxville Ave), 14-08-277-012 (N Knoxville Ave), 14-08-277-013 (7555 N Knoxville Ave), and 14-08-277-014 (7535 N Knoxville Ave), Peoria, Illinois (Council District 5).

Senior Urban Planner, Leah Allison, Community Development Department, read Case No. PZ 16-34 into the record and presented the request. Ms. Allison noted the case came before the commission on October 6, 2016; Mr. Merritt requested reconsideration of the request. Mr. Merritt objected to the condition to remove the gravel within condition #2.

The Development Review Board recommended removing the gravel/rock mulch within and adjacent to the parking lot. Ms. Allison confirmed the condition did not include the removal of gravel near the building.

Chairperson Wiesehan questioned if the petitioner's intent was to use gravel as a landscaping feature. Wiesehan inquired if the consideration may be presented as a text amendment.

Commissioner Misselhorn referred to a previous suggestion from the Zoning Commission for consideration of a text amendment to allow for gravel as a landscaping feature. Misselhorn noted the Zoning Ordinance, as written, does not allow the use of gravel/rock mulch in a parking lot. Commissioner Misselhorn said his interpretation the Zoning Ordinance restricting the application of gravel mulch was related to safety concerns.

Chairperson Wiesehan questioned the appropriateness of the use of gravel in regard to addressing the City's current CSO issues.

Commissioner Viera expressed concern the application of gravel mulch may increase current CSO issues.

Commissioner Unes referred to vapor barriers installed with wood and/or gravel mulch that may neutralize rather than increase the CSO issues discussed among the commission.

Commissioner Misselhorn noted zoning enforcement required the nonconforming gravel mulch to be removed. Misselhorn clarified the current request was separate from the previous zoning enforcement.

Ms. Allison said prior to the petitioner's request, the City notified the property owner and requested the gravel mulch be removed. The City received a letter stating the mulch would be removed; however, the gravel mulch has not been removed.

With no further interest from the public to provide testimony, Chairperson Wiesehan closed the Public Hearing at 1:18p.m.

**Motion:**

Commissioner Misselhorn made a motion to agree with staff's conditions; seconded, by Commissioner Unes.

Commissioner Misselhorn said the mulch gravel at the subject property was well maintained. Misselhorn noted rock mulch may be more sustainable in the long run. Misselhorn supported staff's recommendation, due to the history of enforcement regarding the requirement to remove the rock mulch.

Commissioner Viera agreed with Commissioner Misselhorn. Viera noted the petitioner was not present.

The motion was viva voce vote 4 to 0.

**CASE NO. PZ 16-39**

Hold a Public Hearing and forward a recommendation to City Council on the request of Matthew Shoemaker of Wallick-Hendy Development Company, LLC, to obtain a Special Use to amend an existing Planned Unit Development, commonly known as Pierson Hills Phase I, for building additions, with waivers, in a Class R-6 (Multi-family residential) District, for the property located at 1720 N Great Oak Rd (Parcel Identification No. 18-06-101-004), Peoria, Illinois (Council District 2).

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-39 into the record and presented the request. Ms. Techie provided the summary of the proposal, the requested waivers, and background of the subject property as outlined in the memo.

The Development Review Board recommended APPROVAL of the request with the following waivers and conditions:

1. A waiver was requested to reduce the front yard setback from the required 30 feet to 21 feet, per the submitted site plan.
2. Parking spaces must be a minimum of 18.5' in length by 8.5' in width.
3. Provide an accessible parking space at each accessible unit.
4. All existing and proposed rooftop and ground level mechanical equipment, utilities, and dumpsters must be screened per Code requirements.
5. A transitional buffer must be provided along the west property line as required by the Unified Development Code.
6. If a sign is placed on the site, a separated application is required and the sign must meet Unified Development Code requirements.
7. Lighting may not exceed ½ footcandle, as measured at the property line, and must be downlit away from residential properties.
8. The existing fence along the west property line is in disrepair and must be removed or replaced.
9. Provide a pedestrian accessible route (PAR) between the public ROW and each accessible building. It does not need to delineate on site, but needs to be documented on the plans.
10. Replace deteriorated and non-ADA-compliant walks and curbs along property.
11. For any project disturbing more than 5000 square feet and increasing impervious area by less than 0.5 acres (and even if project decreases impervious area), storm water detention is required using the City's simplified rational method. TR-55 (or other acceptable method) is required for any project that increases impervious area by more than 0.5 acre, cumulative over the last 5 years. The City strongly encourages the use of sustainable Best Management

- Practices (BMP) for storm water management including, but not limited to, native grasses, bioswales, rain barrels, raingardens, dry wells, permeable pavement, etc.
12. A waiver was requested to reduce the required parking spaces from 200 to allow a total of 190 parking spaces.

Ms. Techie noted Item Nos. 3 and 9 have been addressed and may be removed.

Commissioner Misselhorn questioned the petitioner's request for the waiver, Item No. 12.

Ms. Techie said the code required 2 parking spaces per unit, the proposed development will retain the same number of units (100) and currently 194 parking spaces are provided. However, handicap accessible parking spaces are not provided. The petitioner agreed to add 10 handicap accessible parking spaces at each accessible unit, which would remove 4 parking spaces for a total of 190 parking spaces. The applicant found the 190 total spaces, including the 10 handicap accessible parking spaces, sufficient.

Commissioner Misselhorn questioned if there were concerns regarding guest overflow parking and questioned the availability of on-street parking.

Ms. Techie said on-street parking was available along Great Oak Road. Ms. Techie was unaware of historic issues with guest overflow parking.

Matt Shoemaker, petitioner representing Wallick Hendy Development, said he and the architect were present to answer questions. Mr. Shoemaker supported the waiver to allow 190 parking spaces. In response to Chairperson Wiesehan's inquiry regarding if the petitioner agreed to staff conditions, Mr. Shoemaker said he was in support of staff's conditions.

Robert Shepherd, architect for the development, reviewed the development plans, provided illustrations of the proposed development and explained how the proposed design required the setback and parking waivers. Mr. Shepherd said the 25' setback was requested to allow for the 90-200 sq.ft. (per unit) additions.

Commissioner Misselhorn said the proposed development plan was an excellent improvement.

With no interest from citizens to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 1:41p.m.

**Motion:**

Commissioner Misselhorn made a motion to approve the request as presented including all conditions with the removal of Condition Nos. 3 and 9; and adding approval of the requested waiver to reduce overall parking from 200 to 190 parking spaces; seconded by Commissioner Unes.

Commissioner Viera said the street width on Great Oak Road of 32 feet would allow for on-street parking if needed. Viera supported the requested waiver to reduce overall parking from 200 to 190 parking spaces.

The motion was approved viva voce vote 4 to 0.

**CASE NO. PZ 16-40**

Hold a Public Hearing and Forward a Recommendation to City Council on the request of WD Community Investments, LLC to obtain a Special Use in a Class WH (Warehouse) Form District to add a Freestanding Sign and a Painted Wall Sign for the property identified as Parcel Identification Nos. 18-09-355-001 and 18-09-355-003, with an address of 214 Pecan Street, Peoria IL (Council District 1).

Senior Urban Planner, Kimberly Smith, Community Development Department, read Case No. PZ 16-40 into the record and presented the request. Ms. Smith provided the summary of the proposal, the requested waivers, background of the subject property, and the Development Review Board Analysis as outlined in the memo. Ms. Smith said the type of signs proposed were prohibited in the Warehouse Form District and would be inconsistent with future developments in the Warehouse District.

The Development Review Board recommended DENIAL of the request.

Chairperson Wiesehan expressed concern of recommending denial of the request. Wiesehan said his interpretation for the intent of the proposed signage was to attract traffic to the businesses and residential properties in the Warehouse District.

Commissioner Unes agreed with Chairperson Wiesehan and expressed concern recommending denial of the request. Unes supported the development and the revitalization of the vacant building.

Commissioner Misselhorn requested staff speak to the intent of the code that prohibited painted wall signs and allowed opaque signs in the Warehouse District.

Ms. Smith addressed Commissioner Misselhorn's inquiry and said the purpose of the code was to reduce interference with the historic form and aesthetics of the district.

Chairperson Wiesehan said he felt the proposed signage was historically appropriate.

Commissioner Viera questioned allowable signage in the Warehouse District for corner properties with substantial front yard setbacks.

Chairperson Wiesehan commented on the recommendation from the Planning and Zoning Commission to approve the freestanding sign at 100 Walnut, Case No. PZ 16-22.

Chairperson Wiesehan opened the Public Hearing at 2:00p.m.

Katie Kim, petitioner representing WD Community Investments, LLC, said there was an existing sign in the proposed location that was removed during building renovations. The proposed freestanding sign would be placed in the former sign's location. Ms. Kim said research indicated the proposed signage would accurately represent the historical value of the building as the IHPA approved the documents under review with the Planning and Zoning Commission. Ms. Kim noted the project was a \$5.6 million investment.

With no interest from the public to provide public testimony, Chairperson Wiesehan closed the Public Hearing at 2:03p.m.

**Motion:**

Commissioner Misselhorn made a motion to approve the request as presented; seconded by Commissioner Unes.

**Discussion:**

Commissioner Viera was in support of the painted wall sign and said it was appropriate for the building. Viera expressed concern of recommending approval of the free standing sign as freestanding signs in the city were not recommended. Viera expressed concern of the limitations for signage options in the Form District.

Commissioner Misselhorn supported the request. Misselhorn said the proposed signs were properly scaled and appropriate to the area, project, and style of the building. Misselhorn commented on the IHPA's review and approval of the signage request. Misselhorn said the review process was appropriate in response to a discussion regarding the process for approval of the requested waivers in Form Districts.

Chairperson Wiesehan supported the motion and the proposed signage request.

Commissioner Unes said three buildings in the Warehouse District were currently under renovations that may also come before the commission for waivers to allow signs.

The motion was approved viva voce vote 4 to 0.

**CASE NO. PZ 16-E**

Hold a Public Hearing and forward a recommendation to City Council on the request of the City of Peoria to amend Appendix A, the Unified Development Code, related to wireless communication facilities.

Senior Urban Planner, Shannon Techie, Community Development Department, read Case No. PZ 16-E into the record and provided the summary of the proposal and proposed changes to the Unified Development Code related to Wireless Communication Facilities as outlined in the memo.

The Development Review Board recommended APPROVAL of the proposed text amendment.

Chairperson Wiesehan inquired the background for the request and referred to Case Nos. PZ 16-04 and PZ 16-13.

Ms. Techie said both cases were in Council District 2 and generated discussions and concerns of the close proximity of wireless communication facilities to residential districts.

Commissioner Viera inquired the collocation of antennas on the side of residential buildings and its correlation to the text amendment.

Ms. Techie responded to Commissioner Viera and referred to Appendix A, Section 5.3.2.D.2.c.; the collocation of antennas on the side of residential buildings would be the fifth priority in Residential Districts.

Commissioner Viera expressed concern for the interpretation of the definition of collocation as it was written in the code. Viera supported collocation in an effort to reduce the need for additional wireless communication facilities.

Commissioner Misselhorn agreed with Viera and recommended staff include a clear definition of collocation in the code.

Commissioner Viera said he wanted to ensure collocation was still allowed; he did not support disallowing collocation.

Chairperson Wiesehan agreed with Commissioners Misselhorn and Viera.

Ms. Techie referred to the definition of collocation and structure in the Unified Development Code. Ms. Techie said the concern that initiated the text amendment was the collocation and new wireless communication facilities within or adjacent to Residential Districts. Ms. Techie confirmed Commissioner Misselhorn's request for clarification the 50' setback referred to where the location of the antenna not the property line.

Commissioner Viera expressed concern the definitions of collocation and structure were unclear as written in the code. Viera did not support additional regulations for new wireless communication facilities.

**Motion:**

Commissioner Misselhorn made a motion to approve the request as presented; seconded by Commissioner Unes.

The motion was approved viva voce vote 4 to 0.

**REPORT BACK ON THE AUTHORITY OF THE PLANNING & ZONING COMMISSION RELATED TO SPECIAL USE APPLICATIONS**

Senior Urban Planner, Shannon Techie, Community Development Department, referred to the report back on the authority of the Planning and Zoning Commission related to Special Use applications outlined in the report.

Commissioner Misselhorn referred to Case No. PZ 16-26 in regard to the fish processing plant requiring Class I-2 zoning. Misselhorn expressed his preference for staff to have more flexibility to classify uses. Misselhorn referred to the last paragraph of the first page of the report. Misselhorn said he appreciated Director Ross Black and staff for providing the report and responding to the commission's inquiry.

**CITIZENS' OPPORTUNITY TO ADDRESS THE COMMISSION**

It was determined there were no citizens present to address the Planning and Zoning Commission at 2:23p.m.

**ADJOURNMENT**

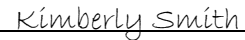
Commissioner Misselhorn moved to adjourn the regularly scheduled Planning and Zoning Commission Meeting; seconded by Commissioner Viera.

The motion to adjourn was approved unanimously viva voce vote 4 to 0.

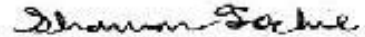
The Planning and Zoning Commission Meeting was adjourned at approximately 2:23p.m.



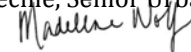
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Leah Allison, Senior Urban Planner



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Kimberly Smith, Senior Urban Planner



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Shannon Techie, Senior Urban Planner



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Madeline Wolf, Development Technician